



# City of Canby

---

## Staff Report File #: DR 21-06 Canby Beer Library

**HEARING DATE:** October 11, 2021  
**STAFF REPORT DATE:** October 1, 2021  
**TO:** Planning Commission  
**STAFF:** Ryan Potter, AICP, Senior Planner

### Applicant Request

The project applicant, Canby Library Holdings, LLC, requests Planning Commission approval to renovate the City's former library into a commercial mixed-use building containing a brewery, four micro-kitchens, and three retail spaces. Exterior renovations of the building would include a covered outdoor roof patio. Approval of the project requires Planning Commission approval of Site and Design Review Application DR 21-06.

### Vicinity Map



### Staff Recommendation

Based on the application submitted and the facts, findings, and conclusions of this Staff Report, staff recommend **Approval** of Application DR 21-06 pursuant to the conditions of approval identified in Section V of this Staff Report.

### **Property/Owner Information**

<b>Location:</b>	292 N Holly Street
<b>Tax Lots:</b>	31E33CA 07800
<b>Property Size:</b>	0.26 acre
<b>Comprehensive Plan:</b>	DC – Downtown Commercial
<b>Current Zoning:</b>	C-1 – Downtown Commercial; Downtown Canby Overlay (DCO)
<b>Owner:</b>	City of Canby
<b>Applicant:</b>	Canby Library Holdings, LLC – Bryce Morrow
<b>Application Types:</b>	Site and Design Review (DR)
<b>City File Numbers:</b>	DR 21-06

### **Attachments**

- A. Site and Design Review Application
- B. Application Narrative and Code Response
- C. Site Plan and Elevation Exhibits
- D. Neighborhood Meeting Minutes and Notice

### **Existing Conditions**

The project site is the City of Canby's former public library, which is a one-story, 10,961-square-foot unreinforced masonry building in the heart of downtown Canby. The building was built in 1973 but has been vacant since 2017 when the library moved to its current location on NW 2<sup>nd</sup> Avenue. Covering the entirety of its underlying parcel, the existing building fronts directly onto NW 3<sup>rd</sup> Avenue and N Holly Street. The building facades along these frontages are located directly on the public sidewalk, with angled street parking adjacent to both sidewalks. The site contains no onsite parking, vegetation, trees, or any other kind of undeveloped space. A mid-block alley traverses the southern boundary of the project site.

The project site is zoned C-1, Downtown Commercial, and is in Core Commercial (CC) subarea of the Downtown Canby Overlay (DCO) zone. In the City's Comprehensive Plan, the site is designated for Downtown Commercial (DC) uses.

Due to its location in downtown Canby, the project site is surrounded by a mix of commercial, retail, office, and residential uses. Diagonally across the 3<sup>rd</sup> Avenue/Holly Street intersection is Wait Park, the City's central outdoor gathering and event space. This park features tall mature trees, grass lawns, a gazebo/bandstand, playgrounds, bathrooms, and free Wi-Fi. Many of the community's public events are held in Wait Park, along 3<sup>rd</sup> Avenue and Holly Street, or a combination of the two. Canby's weekend farmer's market is held on N Holly Street in front of the project site on Saturdays during the warmer months.

To the north across NW 3<sup>rd</sup> Avenue is a one-story dentistry practice and the two-story mixed-use Bettis Building containing offices. To the immediate east of the project site (and sharing a common wall) is a reprographics company. To the south across the alley is a mixed use building that contains a coffee shop/restaurant, professional offices, and three apartments on an alley-facing second story. To the west across N Holly Street is a single-family home facing Wait Park. A salon located in a former house faces east toward the project site.

## **Project Overview**

The proposed project is an extensive interior and exterior renovation of the City's former public library into a commercial mixed-use building. The proposed building would include the following:

- A brewery with indoor dining and a covered, second-story outdoor dining terrace
- Four micro-kitchens that open onto the interior of the brewery restaurant
- Three retail spaces with their own storefronts on NW 3<sup>rd</sup> Avenue

To accommodate the above uses, the proposed project would comprehensively remodel the existing building, including seismic and structural retrofits, reconfiguring of the interior walls, and the addition of an interior staircase leading up to the second-story dining terrace. The proposed building would have a contemporary architectural style featuring a mix of concrete masonry unit (CMU) block, shiplap siding, metal, wood, and glass. The brewery's entrance on S Holly Street would be framed by a decorative concrete block feature wall. The roof terrace would be covered by a heavy timber roof structure that slopes upward toward Wait Park, offering customers views of the park below.

The project applicant's application submittal includes a number of plans and exhibits showing the architectural character and style of the proposed building (see Attachment C to this Staff Report).

## **Analysis and Findings**

### **I. Applicable Criteria**

Applicable criteria used in evaluating this application are listed in the following sections of the City of Canby's Land Development and Planning Ordinance:

- 16.08 General Provisions
- 16.10 Off-street Parking and Loading
- 16.22 C-1 Downtown Commercial Zone
- 16.41 Downtown Canby Overlay (DCO) Zone
- 16.42 Signs
- 16.43 Outdoor Lighting Standards
- 16.49 Site and Design Review
- 16.88 General Standards and Procedures
- 16.89 Application and Review Procedures

### **II. Facts and Findings**

The following analysis evaluates the proposed project's conformance with applicable approval criteria and other Canby Municipal Code (CMC) sections, as listed above in Section I. Sections of the CMC are analyzed in the order that they appear in the code.

#### **Section 16.08.070: Illegally Created Lots**

This section of the CMC establishes that in no case shall a lot created in violation of state statute or City ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied.

**Finding 1:** The submitted application materials include documentation demonstrating that the subject property is a legally created lot eligible for development. For this reason, Planning Staff find that this request is consistent with applicable provisions of the CMC.

#### **Section 16.08.150: *Traffic Impact Study***

This section of the CMC outlines requirements for studying the transportation impacts of a proposed project, when applicable.

**Finding 2:** At the pre-application conference held for the proposed project on June 9, 2021, City Staff determined that neither a Transportation Impact Analysis (TIA)<sup>1</sup> nor an abbreviated Traffic Analysis Letter (TAL) were required due to the location and scope of the project. The following factors were considered in this determination:

- The proposed project would utilize an existing building footprint that previously hosted a land use with a large number of daily visitors (the City's former public library).
- Because the site is in the downtown commercial core, no surface parking is required (see analysis under Chapter 16.10, below). Therefore, no specific parking lot or structure would directly attract vehicle trips. Visitors to the proposed project would be expected to park in a variety of locations around downtown.
- The project site is in an urbanized downtown environment where a substantial number of people walk, bike, or trip-link (visit multiple businesses or places in one trip).
- The City's key planning documents (e.g., its Comprehensive Plan and Downtown Strategic Plan) identify goals and objectives aimed at encouraging downtown vitality by spurring economic revitalization, generating new business activity, repurposing underutilized buildings, and creating new reasons to visit the area. Thriving downtowns generate new trips and these visits should be encouraged.
- The street grid adjacent to the project site and in the surrounding area has a high level of continuity, which will (and does) evenly distribute vehicle circulation and parking. As with nearby businesses (e.g., Backstop Grill & Grill, Gwynn's Coffee House, and Wayward Sandwiches), visitors to the project site would be expected to park and walk from a broad range of locations on the downtown street grid and would not be expected to add substantial congestion to any specific street or intersection.

As identified in Section 16.08.150(C) of the CMC, City staff are tasked with determining "when a TIS is required." The proposed use would generate vehicle trips. However, Planning Staff believe that impacts to the downtown street network would be minimal and a traffic study is not warranted.

For the above reasons, Planning Staff finds this request is consistent with applicable provisions of the CMC.

#### **Section 16.08.160: *Safety and Functionality Standards***

The City will not issue any development permits unless the proposed development complies with the City's basic transportation safety and functionality standards, the

---

<sup>1</sup> Alternatively called a Traffic Impact Study (TIS).

purpose of which is to ensure that development does not occur in areas where the surrounding public facilities are inadequate. At the time of development permit application submittal, the applicant shall demonstrate that the property has or will have the following:

- A. Adequate street drainage;
- B. Provides safe access and clear vision at intersections;
- C. Public utilities are available and adequate to serve the project;
- D. Access onto a public street with the minimum paved widths as stated in Subsection E below.
- E. Adequate frontage improvements as follows:
  - a. For local streets and neighborhood connectors, a minimum paved width of 16 feet along the site's frontage.
  - b. For collector and arterial streets, a minimum paved width of 20 feet along the site's frontage.
  - c. For all streets, a minimum horizontal right-of-way clearance of 20 feet along the site's frontage.
- F. Compliance with mobility standards identified in the Transportation System Plan (TSP). If a mobility deficiency already exists, the development shall not create further deficiencies. (Ord 1340, 2011)

**Finding 3:** The adequacy of public utilities to serve the proposed project was discussed at the pre-application conference held on June 9, 2021. Electricity, water, gas, and sanitary sewer service currently serve the existing building and these utilities would be available to serve the proposed land uses. See Section V of this Staff Report for conditions of approval related to utility line extensions.

The project site has frontage on NW 3<sup>rd</sup> Avenue and N Holly Street, which intersect at the site's northwest corner. However, these existing streets are already built to reflect the preferred street section: two-way traffic with angled/diagonal parking. Both frontages feature wide existing sidewalks that intersect at the street corner, leading to ADA-compliant ramps and marked crosswalks. Existing decorative public bicycle parking is also provided at this location. For these reasons, substantial frontage improvements are not required as part of the proposed project. Section V of this Staff Report identifies conditions of approval that will ensure that existing frontage improvements will remain.

As discussed above under the response to Subsection 16.08.150, traffic generated by the proposed project would not be expected to significantly or meaningfully impact the street network and would not "create further deficiencies" where existing deficiencies exist.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

## **Chapter 16.10: Off-Street Parking and Loading**

This chapter of the CMC identifies requirements for vehicular parking, bicycle parking, and loading facilities when new development occurs.

**Finding 4:** Section 16.10.010(B) of the CMC explicitly exempts development within the downtown core from the responsibility to provide off-street parking:

B. No off-street parking shall be required for any use permitted outright within the C-1 zone in the rectangular area bounded by N. Ivy Street on the east, NW First Avenue on the south, N. Elm Street on the west, and NW Third Avenue on the north.

For this reason, no off-street parking is required to serve the proposed project and much of this code chapter is not applicable, as noted by the submitted project narrative. Both street frontages of the project site feature existing angled public street parking, including an ADA-accessible parking space on N Holly Street.

Subsection 106.10.060 requires commercial uses containing between 5,000 and 25,000 square feet of floor area to provide a minimum of one loading berths. The proposed project provides one; therefore this requirement is met. The loading berth would remain along the public alley, obscuring its visibility from public views to the extent feasible.

Planning Staff find that site access at the project site would remain consistent with Subsection 16.10.070 of the CMC. As under existing conditions, sidewalks would directly connect ground floor entrances of the building with the public right-of-way.

Although Subsection 16.10.100 of the CMC identifies minimum bicycle parking requirements for specific land uses, it also identifies a special requirement for the Downtown Commercial Zone: four spaces per block. As discussed in the applicant's project narrative, the four existing bike racks adjacent to the project site each provide two bicycle parking spaces (eight spaces total) and satisfy this requirement.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

## **Chapter 16.22: C-1 Downtown Commercial Zone**

Lists of allowable uses and development standards for those uses are generally found in the respective chapters for each zone. The project site is zoned C-1, Downtown Commercial.

**Finding 5:** As listed in Section 16.22.010 of the CMC, uses permitted outright in the C-1 zone include a broad range of commercial, retail, office, and public uses, with residential uses allowed as part of mixed-use development.

The proposed project would feature a brewery, micro-kitchens, and retail space. As discussed on Page 12 of the applicant's project narrative, all of these uses are permitted outright in the C-1 zone; Planning Staff concur with the use categories identified by the applicant (brew pub, restaurant, drinking places, and "retail store or shop"). Planning Staff note that brew pubs are allowed only when the floor space used for the manufacturing of beverages doesn't exceed 7,000 square feet. The proposed brewery is well below this maximum, with approximately 1,003 square feet of brewery space and 942 square feet of walk-in cooler space.

The proposed project is generally consistent with the development standards required of land uses in the C-1 zone, as summarized below:

- **Lot Layout.** No minimum lot area, minimum lot width, or yard/setback requirements apply.
- **Building Height.** At 33.5 feet tall, the proposed building is considerably shorter than the maximum allowed 45 feet. No freestanding signs are proposed.
- **Sidewalks.** In this zone, sidewalks are required to be a minimum of 11 feet wide. However, the proposed project is an adaptive reuse project that will retain the existing building's footprint, which allows for sidewalks eight feet wide. The code allows for this deviation, stating that sidewalks may be narrower if "existing building locations or street widths necessitate a more narrow design."
- **Overhangs.** Overhangs are required to not exceed two feet, but this code provision exempts awnings from this requirement. The proposed building does not feature roof overhangs over the sidewalk except for three four-foot-wide steel awnings along the NW 3<sup>rd</sup> Avenue sidewalk.
- **Street Orientation.** As required, the building is proposed to remain "oriented to the street" with building entrances directly on both street frontages. Additional windows would also visually orient the building to the street.

#### *Design Review Matrix*

Chapter 16.22 provides a design review matrix for projects in the C-1 zone (see Table 16.22.40 in the CMC), which replaces the general design review matrix shown in Chapter 16.49. A minimum of 65 percent of total possible points is required and a minimum of one point in each category must be achieved.

The applicant's project narrative identifies a self-scoring of 15 out of 23 points, which is 65.2 percent (see Pages 13-16 of the project narrative). Planning Staff score the project higher, at 17 out of 21 points (80.9 percent). Staff don't believe the City's "recommended color palette" is sufficiently available to hold applicants to this criterion. Therefore, staff have reduced the number of possible points accordingly. Furthermore, Planning Staff believe that the proposed parapet and roof terrace design fulfill the intent of the matrix criterion requiring "cornice treatments to emphasize building tops at parapet-type buildings." For this reason, staff have added two points to the applicant's score. Both the applicant's and Planning Staff's scoring of the project achieve the minimum required points.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

#### **Chapter 16.41: Downtown Canby Overlay (DCO) Zone**

The Downtown Canby Overlay (DCO) Zone establishes a detailed purpose statement for the zone, encouraging a dense mix of pedestrian-friendly uses, buildings that complement each-other architecturally, and an attractive and safe overall environment for visitors and residents. This chapter generally permits land uses which are permitted by the underlying zone districts, but replaces selected development standards and provides supplementary design standards.

The project site is in the “Core Commercial” subarea of the overlay zone (see Figure 11 on Page 16.41 of the CMC).

*Finding 6:* As indicated above, the proposed project is consistent with the range of land uses permitted in the C-1 Zone. No conditional or prohibited uses are proposed.

Development standards identified in Section 16.41.050 and the project’s consistency with those standards are summarized in the bullets below:

- **Setbacks.** Buildings in the Core Commercial subarea are required to be set back a maximum of 10 feet from the street, with a minimum of 60 percent of the building at the minimum setback, which is zero feet. The existing building covers the entirety of the subject property and has zero setbacks from NW 3<sup>rd</sup> Avenue and N Holly Street. Therefore, this criterion is met.
- **Floor Area Ratio.** Buildings in the Core Commercial subarea are required to have a minimum floor-area-ratio (FAR) of 0.80, a maximum building footprint of 30,000 square feet, and a maximum building height of 60 feet. The proposed adaptive reuse of the existing building meets all of these criteria. In particular, the existing 10,961-square-foot building footprint covers the entirety of its underlying lot, which is an FAR of 1.0.
- **Screening.** Exterior garbage and recycling collection areas and mechanical equipment are required to be screened. Whenever possible, these facilities are encouraged to be located away from public review. The proposed project’s garbage and recycling facilities would be located in the alley, away from public view, set back approximately 85 feet from N Holly Street.

Mechanical equipment would be screened and/or roof-mounted behind the building’s parapets. Because final placement of these items are not shown on the applicant exhibits, a condition of approval ensuring compliance with this criterion is identified in Section V of this Staff Report.

- **Parking.** The proposed project does not include onsite parking and is not required to provide onsite parking. Standards found in this subsection do not apply.

#### *Design Standards*

Chapter 16.41 devotes considerable attention to the physical appearance and design of buildings in downtown. Design standards identified in Section 16.41.070 and the project’s consistency with those criteria are summarized in the bullets below:

- **Pedestrian Oriented Ground Floors.** Design standards in this section are intended, in part, to “help create an active, inviting street and sidewalk-facing storefronts and entryways that are friendly and easily accessible to passerby.” As required, the proposed building has a high level of visible transmittance, with large windows on both street-facing facades. In the Core Commercial subarea, transparent windows are required to comprise a minimum of 60 percent of a primary ground-level street-facing façade’s length, and 60 percent of the wall plane’s area (50 percent is required for secondary facades). As indicated in the applicant’s project narrative, the proposed elevations along N Holly Street and NW 3<sup>rd</sup> Avenue would feature windows that generally meet these minimum



requirements. The proposed project would dramatically increase the amount of transparency and sight lines into the building at the building's ground level.

The same subsection of this chapter also requires 50 percent of the length and 25 percent of the area of alley-facing facades to be windows. As discussed in the applicant's project narrative (see Page 28 of the project narrative), the brewery portion of the proposed project is proposed to be located at the rear of the building along the alley. For this reason, extensive glazing on this elevation is not appropriate; large windows would interfere with the placement of brewing equipment in this area and views of that equipment from the alley would not have a meaningful benefit to the limited number of pedestrians who use the public alley. Therefore, Planning Staff concur that this criterion should not apply to the proposed project. The proposed project more than makes up for the lack of glazing along the alley by substantially increasing the amount and size of pedestrian-level façade openings along its two primary facades.

- **Building Entries and Doors.** As required, the proposed building has a prominent entry oriented to and directly connected to the sidewalk. Street entrances to the proposed brew pub and retail spaces would all feature extensive amounts of transparent glass. Furthermore, the building's entries are highlighted with decorative features including steel awnings/canopies with under-canopy light and natural wood on NW 3<sup>rd</sup> Avenue (for the retail spaces) and a decorative masonry wall treatment on N Holly Street (for the brew pub). These criteria are met.
- **Transition Areas.** This subsection of the CMC identifies special design standards for buildings that span more than 75 percent of a city block. However, the proposed building does not comprise this amount of its block and therefore these standards do not apply.
- **Cohesive Architectural Elements.** This subsection of the CMC identifies a comprehensive list of required or encouraged architectural elements. The proposed awnings, windows, and decorative masonry create "architectural bays" while still preserving the building's existing wall planes along the sidewalk. In particular, the elevation facing NW 3<sup>rd</sup> Avenue features three repeating sets of doors, window panels, and awnings. Decorative accents including window mullions, lighting fixtures, and blade signs will create the type of repeating architectural rhythm encouraged by the code.

The proposed building features a distinct "base, middle, and top" accentuated by the addition of the covered rooftop terrace, which is set back from the edge of the first story parapets and wall planes. The first-floor parapets also feature a metal cap in a color contrasting the proposed wall color. While the building's base is not as distinctly demarcated as some of the examples shown on Page 34 of Chapter 16.41, this is largely a function of the building's existing footprint; the addition of further building articulation at the building's base would encroach into the sidewalk. For this reason, this criterion is met to the extent feasible.

- **Corners.** Due to the project's use of the existing building footprint, the building's corner facing Wait Park is not chamfered, nor does it feature a plaza or arcade. However, the building would employ a "prominent architectural element within 25 feet of the corner" by adding a second-story roof terrace with a heavy timber

roof structure that slopes upward toward the street corner and Wait Park. This criterion is met.

- **Materials.** As discussed in the applicant's project narrative, the proposed project would feature a broad range of materials, including concrete masonry block (standard and decorative), cementitious hardie plank siding, wood, glass, and metal. Although the primary building material (concrete masonry unit block) is not listed in the code as a preferred "primary" material, Planning Staff feel that this existing material sufficiently evokes a "sense of permanence" and is compatible with the surrounding built environment, which includes numerous buildings constructed of similar materials. Furthermore, the proposed project is an adaptive reuse of an existing building; the existing building would need to be demolished to be rebuilt using 70 percent brick, stone, or stucco/EIFS. Planning Staff do not believe the intent of the code is to require buildings to be demolished to satisfy this criterion. To the extent feasible, a variety of attractive materials are used, with an emphasis on materials that appear durable and permanent.
- **Colors.** This subsection intends to promote building colors in downtown that complement the surrounding environment. The code "strongly encourages" applicants to use colors in the Sherwin-Williams "Arts and Crafts" color palette. While the color palette chosen for the proposed project doesn't directly reflect the rich, warm, earthy hues in that color scheme, it features relatively neutral colors (black and white) that don't conflict with the surrounding vicinity, along with wood accents that would bring visual warmth and a visual tie to the natural element across the intersection in Wait Park. Note that the White House Salon across N Holly Street from the project site features a similar color scheme. Planning Staff believe that the visual appearance of the proposed building meets the intent of the code related to color choice.

For the above reasons, Planning Staff finds this request is consistent with applicable provisions of the CMC, including the intent of the aforementioned design guidelines.

#### **Chapter 16.42: Signs**

**Finding 7:** The submitted exhibits show conceptual placeholder signage reading "Canby Beer Library" on the project's west-facing N Holly Street elevation. This conceptual sign appears to comply with signage requirements, which limit wall signs to a specific maximum percentage of a building façade's area and an overall total area. In the Commercial Core, this is eight percent of the primary elevation (or a total of 60 square feet) and six percent of a secondary elevation (or a total of 30 square feet).

However, final signage for each building tenant is not shown. Therefore, approval of the proposed land use does not extend to future signage. Applications for any future signage would be processed separately from the land use approval. Chapter 16.42 identifies requirements that will apply to those proposed signs; Section V of this Staff Report includes a condition related to the approval of future signs.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

#### **Chapter 16.43: Outdoor Lighting Standards**

The purpose of this chapter is to provide regulations for outdoor lighting that will minimize glare and light trespass, among other goals. The chapter identifies

requirements related to the placement, shielding, height, and intensity of outdoor light fixtures. Because of the project site's context, it is in Lighting Zone 2, as defined by Chapter 16.43. This zone is considered the "default condition for commercial and industrial districts in urban areas."

***Finding 8:*** The application submittal does not include a photometric study or lighting plan, nor does it identify the locations or types of all proposed exterior lighting fixtures. Section V of this Staff Report includes a condition requiring that a lighting plan be submitted prior to release of building permits. This condition also requires the project applicant to give special consideration to lighting that is visible to existing second-story apartments across the alley to the southeast. Note that the exterior roof terrace canopy would face away from these apartments, significantly reducing potential adverse impacts related to nighttime illumination.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

#### **Chapter 16.49: Site and Design Review Criteria**

Chapter 16.49 of the CMC provides the following review criteria to be used in the design review process.

In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

1. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and
2. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
3. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
4. The proposed development incorporates the use of Low Impact Development (LID) best management practices whenever feasible based on site and soil conditions. LID best management practices include, but are not limited to, minimizing impervious surfaces, designing on-site LID stormwater management facilities, and retaining native vegetation.
5. The Board shall, in making its determination of compliance with this Ordinances, shall use the matrix in Table 16.49.040 to determine compatibility unless this matrix is superseded by another matrix applicable to a specific zone or zones under this title. An application is considered to be compatible with the standards of Table 16.49.040 if the following conditions are met: a. The development accumulates a minimum of 60 percent of the total possible number of points from the list of design criteria in Table 16.49.040; and b. At least 10 percent of the points used to comply with (a) above must be from the list of LID Elements in Table 16.49.040.

6. Street lights installation may be required on any public street or roadway as part of the Design Review Application.

*Finding 9:* Planning Staff find that the proposed project, including the chosen architectural style, materials, and colors, is compatible with the surrounding context of the project site, which is located in an established urban downtown setting. Because the project would generally utilize an existing building envelope, the proposed project would not represent a dramatic change in scale or character compared to existing conditions.

To the contrary, the project would rehabilitate and visually enhance an underutilized site, bringing a visually dynamic catalyst project to a high-profile location across from one of Canby's most cherished public spaces (Wait Park). Staff believe that the proposed project—and its rooftop terrace in particular—would create a distinctive downtown landmark that would improve the urban character of its surrounding vicinity by activating a low-activity corner. Furthermore, the reuse of the building introduces new land uses in the building while sensitively maintaining the existing scale of the building and block. For additional analysis related to the proposed project's design and relationship with its surrounding context, see the analysis under Chapter 16.41, above.

Specific subsections of Section 16.49 are analyzed below:

- **LID Best Management Practices.** Because the proposed project would retain an existing building in an urban downtown environment that covers the entirety of its underlying property, minimal opportunities for LID best management practices exist on the project site. The site features no trees, vegetation, or open spaces. LID best management practices are not applicable to the proposed project.
- **Site and Design Review Matrix.** The site and design review matrix provided in Subsection 16.49.040 applies to most locations in the City but is superseded by a more specific matrix for projects in the C-1 Zone (see analysis above under Chapter 16.22). Note that the project applicant filled out the matrix in Subsection 16.49.040 in the submitted narrative/code response.
- **Bicycle and Pedestrian Facilities.** The submitted materials demonstrate compliance with standards related to pedestrian facilities. The existing wide sidewalks on NW 3<sup>rd</sup> Avenue and N Holly Street would be preserved, as would the large concrete “bulb-out” at the intersection where the two sidewalks meet. As discussed above, the four highly-visible existing bike racks at the street corner would also be retained.
- **Landscaping.** The proposed project would utilize the existing footprint of the former public library. Accordingly, the proposed project would not feature landscaping, trees, or surface parking. No landscape plan is required and the landscape calculation forms found in the Site and Design Review application do not apply.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC to the extent feasible.

### **III. Public and Agency Comments**

Notice of this application and the opportunity to provide comment was forwarded to property owners and residents within a 500-foot radius and to applicable public

agencies. At the posting of this staff report, no comments from the public were received by planning staff. The comments below were received by planning staff from partner agencies:

#### **Canby Fire Department**

- This will be a sprinkled building and discussion was held on where to place the FDC and fire hydrant. The location best for the developer and the Fire Department is on the southeast corner of NW 3rd and N Holly Streets between the two ADA ramps.

#### **Canby Utility Electric Department**

- We will be replacing the existing pole with a new one and the developer will be installing removable bollards next to the new pole.
- We will be installing two 4-inch conduits in the alleyway next to the pole, we will be getting rid of the 3-phase system and doing single phase system for the other customers along the alleyway. We will let you know when we plan on doing our trench excavation.

#### **Canby Utility Water Department**

- Our existing water line for this existing building is located off of NW 3rd Avenue and by the most easterly door. We need to know the water requirements from the developer to size the meter appropriately.

#### **Public Works – Sewer**

- We would like to have a video scope of the sewer line from the building to the alleyway connection. There is a cleanout in the alleyway just outside the building.

#### **Public Works – Stormwater**

- In the alleyway during rainstorms we have an existing puddle and if the developer want to fix the puddling problem, now is the time because Public Works does not plan on working on the storm system anytime soon.

#### **IV. Conclusion**

Staff has reviewed the applicant's project narrative and submitted application materials and finds that the applications listed above conform to the applicable review criteria and standards, subject to the conditions of approval noted in Section V of this Staff Report. Planning Staff recommend that the Planning Commission **Approve** Site and Design Review application DR 21-06 subject to the identified conditions of approval.

#### **V. Conditions of Approval**

##### **Public and Utility Improvements:**

1. All public improvements shall comply with applicable City of Canby Public Works Design Standards. Street improvements, if any, shall be designed and constructed (or bonded) to the satisfaction of the City Engineer. (Public Works/City Engineer)
2. All new or improved sidewalks must be designed and/or reconstructed so that they meet current ADA standards. (Public Works/City Engineer)
3. An acceptable design/redesign for improved flow of rain drains to weepholes in curbline of N. Holly Street is required. This will be verified and accepted during the

preconstruction phase of the project. (Public Works/City Engineer)

4. Sanitary sewer service shall be extended to serve the facility to the satisfaction of the City Engineer and Public Works Department. (Public Works/City Engineer)
5. Water and electric service shall be extended to serve the facility to the satisfaction of the City Engineer and Canby Utility. Water services shall be constructed in conformance with Canby Utility requirements. (Public Works/City Engineer)
6. Any alterations or modifications to the public alley at the rear of the building shall be shown on submitted construction drawings and shall be designed to the satisfaction of the City Engineer and Public Works Department. (Public Works/City Engineer)
7. A grease trap is required for this development. The developer shall coordinate with the Wastewater Treatment Plant staff and Public Works to satisfy the grease trap requirements. (Public Works)
8. All Canby Utility System Development Charges must be paid in order to start construction. (Canby Utility)
9. New bollards protecting the replacement power pole are required to be placed by the developer. (Canby Utility)
10. A FDC is required at the SE corner of NW 3<sup>rd</sup> Ave and N Holly Street. (Canby Utility / Canby Fire).
11. Water services and fire protection shall be constructed in conformance with Canby Utility and Canby Fire requirements. The applicant shall coordinate directly with these agencies. (Canby Fire)
12. The project applicant shall coordinate with Canby Fire to identify appropriate locations for fire hydrants, if needed. Prior to site plan approval, the project applicant shall provide an updated site plan identifying hydrant locations to the satisfaction of Canby Fire. (Canby Fire)

**Project Design/Site Plan Approval:**

13. Final design drawings submitted to the City shall demonstrate that roof-mounted mechanical equipment will be screened to the extent feasible. Special consideration shall be given to screening the appearance and noise of rooftop mechanical equipment installed across the alley from the existing second-story apartments to the southeast. (Planning)
14. A lighting plan shall be submitted to the City concurrently with final design drawings. Building lighting along the southeast-facing elevations of the building shall be sufficiently shielded, consistent with the CMC, to minimize adverse impacts to existing second-story apartments across the alley to the southeast. All proposed lighting shall meet the standards described in Chapter 16.43 and must have cut-off shielding and be installed as shown in the submitted design drawings. (Planning)
15. The developer shall consult with Canby Disposal regarding final architectural plans and design considerations for solid waste pickup. (Canby Disposal)
16. The applicant shall work with Canby Utility and the Canby Public Works Department in order to provide the appropriate connections to all required utilities prior to site plan approval. (Public Works)

**Building Permits:**

17. Pursuant to Subsection 16.49.060 of the Canby Municipal Code, Site and Design Review Board approvals shall be void after twelve (12) months unless: A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or the Planning Department finds that there have been no changes in any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, Section 4, 1091). (Planning)
18. An erosion control permit will be required from the City of Canby prior to any on-site disturbance. Erosion control plans shall demonstrate that construction activities will not discharge materials or pollutants into the in-street storm drain. (Planning)
19. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits (including grading permits), and a City of Canby Erosion Control Permit prior to project construction. (Planning/Public Works)
20. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services. (Clackamas County Building Services)
21. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. (City Engineer)
22. All future building tenants shall submit signage applications to the City prior to installation of any signs (including wall and blade signs). Proposed signs shall conform to provisions of Chapter 16.42 of the CMC and shall secure a building permit from Clackamas County Building Services prior to their installation if applicable. (Planning)

**Prior to Occupancy:**

23. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of approval stated in this Staff Report. (Planning)
24. Prior to occupancy, sidewalks shall be improved consistent with approved construction documents. (Planning)